

**\*\*E-filed 4/10/12 \*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SHANE MORRISS,

No. C 06-2471 RS

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION,  
et al.,

**ORDER ADOPTING REPORT AND  
RECOMMENDATION TO DENY  
MOTIONS RE ALLEGED BREACH  
OF SETTLEMENT AGREEMENT**

Defendants.

This is a civil rights action which was resolved in a judicially-supervised settlement conference in April of 2008. A stipulated order of dismissal was entered in June of that year. Subsequently, plaintiff contended that defendants failed to comply with the settlement agreement, and filed a "Request for Trial for Breach of Contract of Settlement Agreement" and a "Request for Judgment on Breach of Contract." Those motions were referred to Magistrate Judge Vadas, who previously had held numerous proceedings to address concerns raised by plaintiff regarding defendants' performance of the settlement agreement. On March 1, 2012, Judge Vadas issued a Report and Recommendation that the pending orders be denied. No party has filed objections to the Report and Recommendation, and the time for doing so has expired. The Court has reviewed Judge

1 Vadas's thorough Report and Recommendation and adopts it here in full. Plaintiff's motions,  
2 Docket Nos. 70 and 71, are denied.

3  
4 IT IS SO ORDERED.

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6  
7 Dated: 4/10/12



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RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

**THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:**

Shane Morriss  
J-53134  
California State Prison-LAC  
FCB5-149  
P.O. Box 4610  
Lancaster, CA 93539

DATED: 4/10/12

/s/ Chambers Staff

Chambers of Magistrate Judge Richard Seeborg